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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:05CR0462
)	
Plaintiff,)	
)	
vs.)	Judge John M. Manos
)	
THOMAS FUDGE, JR.,)	
)	
Defendant.)	<u>ORDER</u>

On September 21, 2005, a multi-count Indictment was filed charging Thomas Fudge, Jr., Defendant, with three (3) counts of violating Title 18 of the United States Code, Section 2113(a) (unarmed bank robbery). (Docket No. 1.)

On December 7, 2005, the above-captioned matter case was referred to a United States Magistrate Judge pursuant to General Order 99-49, with the consent of the parties, for the purpose of arraigning the Defendant and accepting his plea of guilty. (Docket Nos. 14, 16.) On December 8, 2005, a hearing was held and Defendant, accompanied by counsel, proffered a plea of guilty to Counts 1, 2, and 3 of the Indictment. (Docket No. 15.)


On December 8, 2005, the Magistrate Judge issued a Report and Recommendation documenting Defendant's plea. (Docket No. 17.) The Report indicates that Defendant was

advised of his rights and that the hearing otherwise complied with all requirements imposed by the United States Constitution and Federal Criminal Procedure Rule 11. Finding that the plea was made knowingly, intelligently, and voluntarily, the Magistrate recommends that this Court accept and enter the Defendant's plea of guilty to Counts 1, 2, and 3 of the Indictment.

Pursuant to General order 99-49, and absent any objections by the parties heretofore made, the Court accepts and adopts the Report and Recommendation of the Magistrate Judge. In doing so, the Court finds that the Defendant knowingly, intelligently, and voluntarily entered a plea of guilty to the Counts 1, 2, and 3 of the Indictment, and that all of the requirements imposed by the United States Constitution and Fed. R. Crim. P. 11 have been satisfied. Therefore, the Court accepts the Defendant's plea and enters it accordingly. This matter is referred to the Probation Office for pre-sentence investigation. Sentencing is scheduled for **March 2, 2006 @ 10:30 a.m.**

IT IS SO ORDERED.

Date: December 9, 2005


UNITED STATES DISTRICT JUDGE